

Attorney Docket No. 9353-8RE

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of Vince D'Amelio, et al.)
)
U.S. Patent No. 6,430,467: Issued 8/6/2002)
)
Serial No. To Be Assigned)
)
Filed: Concurrently Herewith)
)
For: PROCESSES FOR PACKAGING PERISHABLE)
AND OTHER PRODUCTS)

November 12, 2003

Mail Stop REISSUE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants identify the documents listed on the attached Substitute Form 1449A/PTO accompanying this submission.

Remarks

Applicants regret that such a voluminous disclosure is required in the present case; however, these materials have been identified in litigations involving the patent that is the subject of the present reissue application and, in an abundance of caution, are provided to the Examiner. In light of the volume of information identified, Applicants specifically identify below items that the opposing parties in the litigations have particularly identified as allegedly invalidating, or as allegedly material to patentability of, one or more claims of the patent that is the subject of the present reissue application (along with information that may be related to such references). The identification of these alleged references is not intended to indicate in any way that other information provided should not be considered by the Examiner. A copy of this Information Disclosure Statement will be provided to each of the opposing parties in the litigations so that the opposing parties may submit any additional information regarding the cited references and/or additional references to the Patent Office. Additionally, Applicants will provide any further information the Examiner may desire with regard to any of the information identified to the extent Applicants have such information and can provide it to the Patent Office consistent with the Protective Orders.

The assignee of the present application, Rock-Tenn Company ("Rock-Tenn"), is presently engaged in five litigations (four of which are consolidated) concerning the original patent in the present reissue application, United States Patent No. 6,430,467 ("the '467 patent"). The opposing parties in the litigations have alleged that certain materials constitute prior art to the '467 patent. The materials identified by the opposing parties, additional documents that may relate to those materials, and documents submitted in the litigations, are listed in the attached Substitute Form 1449A/PTO. The opposing parties have not provided Applicants with copies of all of the documents and materials that the opposing parties have identified, and the opposing parties designated other documents and materials as confidential under the terms of the Protective Orders entered in the litigations. Additionally, the opposing parties' descriptions of some of the alleged prior art is so vague that Applicants have not been able to determine whether any documentation exists concerning such alleged prior art.

Applicants, therefore, enclose only copies of the non-confidential materials that the opposing parties have produced in the litigations or that Applicants have been able to identify and obtain. Using the verbatim language chosen by the opposing parties in the litigations, these materials are listed as items 1-145, 197-202, 222, and 249-251 on the attached Substitute Form 1449A/PTO. Enclosed documents that may relate to the materials identified by the opposing parties are listed as items 146-148 on the attached Substitute Form 1449A/PTO. Documents submitted in the litigations such as pleadings, discovery responses, and motions that are enclosed herewith are listed as items 149-196 and 246-248 on the attached Substitute Form 1449A/PTO.

Items 203-221 and 223-245 on the attached Substitute Form 1449A/PTO are not enclosed herewith. Items 203-208 are documents that the opposing parties have designated as confidential under the Protective Orders entered in the litigations. Items 209-220 and 223-245 are materials that the opposing parties have vaguely characterized as trays or lids, product brochures, advertisements, tray sealing systems, prepared meals and the like. Because of the vague nature of these descriptions, Applicants have not been able to determine whether any documentation exists concerning these alleged prior art materials, and hence copies are not enclosed. Finally, item 221 is an alleged reference that the opposing parties have not provided to Rock-Tenn and that Applicants have not been able to otherwise obtain. Items 209-221 and 223-245 are listed on the attached Substitute Form 1449A/PTO using the

verbatim language used by the opposing parties in the litigations to identify these items. If Applicants obtain further information regarding these materials or copies of these materials, Applicants will provide the PTO with the additional information or copies of the materials.

Some of the documents listed in the attached Substitute Form 1449A/PTO were considered by the Examiner during prosecution of the original '467 patent. These documents are listed on the attached Substitute Form 1449A/PTO as item numbers 1, 12-13, 28-29, 32, 34-35, 37-38, 40, 43, 45-46, 50-52, 54-55, 57, 59-65, 67, 73, 75, 77, 80, 82-84, 87, 90, 93, 95-96, 98-99, 101-106, 109-110 and 117-119.

In view of the above discussion, the Examiner's attention is drawn to the following non-confidential references identified by item #:¹

#8. United States Patent No. 3,353,707 ("the '707 patent"). In the litigations, at least some of the opposing parties contend that the '707 patent anticipates or renders obvious independent Claims 10 and 20 of the original '467 patent, and the claims depending from Claims 10 and 20. *See* item #154 at 6; item #176 at 15; and item #181 at 17 and 21.

#13. U.S. Patent No. 3,563,445 ("the '445 patent"). In the litigations, at least some of the opposing parties contend that the '445 patent anticipates or renders obvious independent Claims 1 and 20 of the original '467 patent, and the claims depending from Claim 1 and 20. *See* item #154 at 6; and item #181 at 21.

#34. United States Patent No. 3,997,101 ("the '101 patent"). In the litigations, at least some of the opposing parties contend that the '101 patent anticipates or renders obvious independent claim 20 of the original '467 patent, and the claims depending from independent claim 20. *See* item #154 at 6; and item #181 at 21.

#119. Photograph of MAPfresh product. In the litigations, the opposing parties contend that a photograph of a MAPfresh product that was submitted to the Patent Office

¹Applicants also provide specific citations to litigation materials where the opposing parties make arguments that these specific references allegedly are invalidating prior art to, or allegedly are material to the patentability of the invention of, the original '467 patent. In providing these citations, due to the volume of litigation materials, Applicants may not have included a citation to each and every such litigation document. It is believed, however, that the citations reflect the opposing parties' positions regarding these specific references. A copy of this Information Disclosure Statement will be provided to each of the opposing parties to the litigations so that the opposing parties may submit any additional citations and/or additional information or references that the opposing parties believe should be provided to the Patent Office.

during prosecution of the original '467 patent is prior art to, and/or material to the patentability of, the original '467 patent. *See* item #155 at 6-8 and 14-15; item #165 at 9-10; item #173 at 6-7 and 11-12; item #176 at 20-21; item #182 at 6-7 and 12-13; and item # 184 at 8. The MAPfresh product in the photograph is not believed by Applicants to be prior art to the '467 patent. The photograph is of a tray sold by one of the opposing parties in the litigations, Clear Lam, which tray is accused of being used in processes that infringe the claims of the '467 patent. Applicants believe that the tray shown in the photograph did not exist, and was not commercially available, prior to July 12, 1999. The photograph of the MAPfresh product was mistakenly submitted to the Patent Office during prosecution of the original '467 patent.

#120 and #121. Rock-Tenn Advertisement ("Rock-Tenn Advertisement"). In the litigations, the opposing parties contend that a Rock-Tenn Advertisement anticipates or renders obvious independent Claim 20 of the original '467 patent, and the claims depending from independent Claim 20, and/or allegedly is material to the patentability of the original '467 patent. *See* item #153 at 15 and 21-22; item #154 at 1, 6; item #155 at 8-9 and 15-16; item #165 at 10-11; item #173 at 7-8 and 12-13; item #176 at 21-22; item #181 at 12-13, 21 and 25-26; item #182 at 7-8 and 13-14; item #187 at 9 and 13-14; and item #190 at *passim*.

#122. Holly Farms Whole Chicken Tray. In the litigations, the opposing parties contend that a Holly Farms Whole Chicken Tray anticipates or renders obvious all of the claims of the original '467 patent. *See* item #153 at 15; item #154 at 3, 6; item #181 at 13 and 21; and item #187 at 9.

#123, #124, #125 and #143. October 6, 2000 letter from Clear Lam to Rock-Tenn (item #143), and the enclosures to the letter (item #123, 124 and 125). (The remainder of the information described in the October 6, 2000 letter also is listed item by item on the attached Substitute Form 1449A/PTO as item numbers 52, 64, 84, 93, 125 and 237-245.) In the litigations, the opposing parties contend that information contained in, and enclosed with, a letter dated October 6, 2000 from Clear Lam to Rock-Tenn constitutes invalidating prior art to the original '467 patent, and/or allegedly is material to the patentability of the invention of the original '467 patent. *See* item #153 at 16 and 20-22; item #154 at 3; item #155 at 6-8 and 13-15; item #165 at 9-10; item #173 at 5-7 and 11-12; item #176 at 20-21; item #181 at 13 and 24-26; item #182 at 5-8 and 11-14; item #184 at 7-8; and item #187 at 13-14.

#126. C&M Fine Pack Tofu Tray ("Tofu Tray"). In the litigations, at least some of the opposing parties contend that a C&M Fine Pack Tofu Tray is relevant and/or invalidating prior art to the original '467 patent. *See* item #153 at 16; item# 154 at 3; item #164 at 5; item #181 at 13; and item #187 at 8.

#127. Eastman Ad. In the litigations, at least some of the opposing parties contend that the Eastman Ad anticipates or renders obvious all of the claims of the original '467 patent. *See* item #153 at 13; item #154 at 3, 6; item #181 at 13; and item#187 at 4.

#145. Undated videotape of Map Systems' Equipment. In the litigations, at least some of the opposing parties, allege that an undated videotape (approximately six minutes in length) of alleged Map Systems' equipment allegedly invalidates one or more the claims of the original '467 patent. *See* item #246 at 12-13 and 16-17; item #247 at 11; and item #248 at 2 and 7-8.

#146, #147, #148, #215 and #252. The Champion Deep Meat Tray and potentially related materials. In the litigations, the opposing parties contend that a "Champion deep meat tray" (item # 215) anticipates or renders obvious independent Claim 20 of the original '467 patent, and the claims depending from independent Claim 20; and/or allegedly is material to the patentability of the invention of the original '467 patent. *See* item #153 at 16 and 22; item #154 at 3, 6; item #181 at 13, 21 and 25-26; and item #187 at 10 and 14. As discussed in item #252, item numbers 146-148 may relate to the "Champion deep meat tray."

#197, #198, and #199. Unsigned Map Systems' Proposals to Excel, Perdue, and Jac Pac, and facsimile records allegedly showing that Excel and Jac-Pac received their respective proposals via facsimile. In the litigations, at least some of the opposing parties contend that these proposals allegedly are offers for sale that allegedly invalidate many of the claims of the original '467 patent. *See* item #188 at 1-2; item #190 at *passim*; item #192 at 2-3 and 4-5; item #194 at 1-4; item #246 at 1-2, 11-12, 20, and 23-35; item #247 at 16-20 and 42-49; and item #248.

#246. Memorandum In Support Of Defendants' Motion For Summary Judgment On Patent Invalidity. This brief sets forth Cryovac, C&M Fine Pack and Anchor's position that the original '467 patent allegedly is invalid because more than one year prior to the date of the patent application that led to issuance of the original '467 patent, Clear Lam allegedly made written offers for sale of the claimed invention to Excel Corporation ("Excel"), Perdue Farms

("Perdue"), and Jac-Pac Foods, Inc. ("Jac-Pac"); and/or because the claimed process allegedly was invented by persons other than Rock-Tenn.

#247. Defendants' Statement of Undisputed Facts. This statement was submitted in support of the brief listed in item #246 and allegedly supports Cryovac, C&M Fine Pack and Anchor's contentions that the original '467 patent allegedly is invalid because more than one year prior to the date of the patent application that led to issuance of the original '467 patent, Clear Lam allegedly made written offers for sale of the claimed invention to Excel, Perdue, and Jac-Pac; and/or because the claimed process allegedly was invented by persons other than Rock-Tenn.

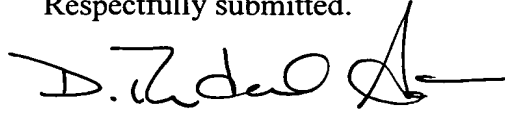
#248. Declaration of James J. Sanfilippo and Accompanying Exhibits. This declaration and accompanying exhibits was submitted in support of the brief listed in item #246 and allegedly supports Cryovac, C&M Fine Pack and Anchor's contentions that the original '467 patent allegedly is invalid because more than one year prior to the date of the patent application that led to issuance of the original '467 patent, Clear Lam allegedly made written offers for sale of the claimed invention to Excel, Perdue, and Jac-Pac; and/or because the claimed process allegedly was invented by persons other than Rock-Tenn.

#143, #144, #145, #197, #198, #199, #200, #201, #202, #249, #250, and #251. These items are the exhibits that also accompanied item #248. Cryovac, C&M Fine Pack and Anchor allege that these items constitute materials corroborating their allegations that the original '467 patent allegedly is invalid because more than one year prior to the date of the patent application that led to issuance of the original '467 patent, Clear Lam allegedly made written offers for sale of the claimed invention to Excel, Perdue and Jac-Pac; and/or because persons other than Rock-Tenn allegedly invented the process claimed in the original '467 patent. *See also* item #246 at 12-19 and 35-42; item #247 at 21-22 and 31-49; and item #248 at 23-33.

It is requested that these references be considered by the Examiner and officially made of record in accordance with the provisions of 37 C.F.R. 1.97 and Section 609 of the MPEP.

In re: Vince D'Amelio
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Respectfully submitted.



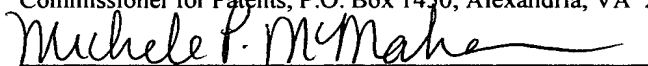
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Michele P. McMahan
Date of Signature: November 12, 2003

Substitute form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	To Be Assigned	
			Filing Date	November 12, 2003	
			First Named Inventor	D'Amelio et al.	
			Group Art Unit	Unknown	
			Examiner Name	Unknown	
Sheet	1.	of	7	Attorney Docket Number	9353-8RE

U.S. PATENTS AND PATENT PUBLICATIONS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
	1	US-1,221,789		Brown	04/03/1917
	2	US-2,960,134		Fomas	11/15/1960
	3	US-3,091,360		Edwards	05/28/1963
	4	US-3,117,522		Hutchison et al.	01/14/1964
	5	US-3,139,213		Edwards	06/30/1964
	6	US-3,170,594		Nascher	02/23/1965
	7	US-3,283,955		Crabtree	11/08/1966
	8	US-3,353,707		Eyles	11/21/1967
	9	US-3,441,173		Edwards	04/29/1969
	10	US-3,464,832		Mullinix	09/02/1969
	11	US-3,485,412		Hawley	12/23/1969
	12	US-3,539,552		Mounts, et al.	11/10/1970
	13	US-3,563,445		Clayton	02/16/1971
	14	US-3,584,431		Flavelle	06/15/1971
	15	US-3,615,039		Ward	10/26/1971
	16	US-3,632,016		Bozek	01/04/1972
	17	US-3,668,820		Parvin, et al.	06/13/1972
	18	US-3,675,811		Artz	07/11/1972
	19	US-3,701,456		Alroy	10/31/1972
	20	US-3,712,532		Alroy	01/23/1973
	21	US-3,721,367		Fletcher	03/20/1973
	22	US-3,831,745		Rump, et al.	08/27/1974
	23	US-3,834,120		De Faccio et al.	09/10/1974
	24	US-3,836,042		Petitto	09/17/1974
	25	US-3,838,550		Mueller	10/01/1974
	26	US-3,866,387		Davis	02/18/1975
	27	US-3,883,036		Mahaffy, et al.	05/13/1975
	28	US-3,885,727		Gilley	05/27/1975
	29	US-3,885,729		Rous et al.	05/27/1975
	30	US-3,931,890		Davis	01/13/1976
	31	US-3,965,656		Gerben	06/29/1976
	32	US-3,974,722		Florian	08/17/1976
	33	US-3,981,401		Blanchard	09/21/1976
	34	US-3,997,101		Flordian	12/14/1976
	35	US-D245,070		Congleton	07/19/1977
	36	US-4,038,807		Beardsley, et al.	08/02/1977
	37	US-4,054,207		Lazure, et al.	10/18/1977
	38	US-4,057,651		Floridan	11/08/1977
	39	US-4,082,184		Hammer	04/04/1978
	40	US-4,083,670		Reifers, et al.	04/11/1978
	41	US-4,095,721		Patzlaff, et al.	06/20/1978
	42	US-4,121,404		Davis	10/24/1978
	43	US-4,136,205		Quattlebaum	01/23/1979
	44	US-4,173,107		Wilson	11/06/1979
	45	US-4,298,156		Reifers, et al.	11/03/1981
	46	US-D268,568		Holden	04/12/1983
	47	US-4,409,252		Buschkens, et al.	10/11/1983
	48	US-4,420,081		Dart	12/13/1983
	49	US-4,439,101		Orlowski, et al.	03/27/1984
	50	US-4,498,378		Norrie, et al.	02/12/1985
	51	US-4,498,585		Gordon, et al.	02/12/1985
	52	US-4,548,852		Mitchell	10/22/1985
	53	US-4,624,099		Harder	11/25/1986
	54	US-4,660,734		Heaney, et al.	04/28/1987

Substitute form 1449A/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	To Be Assigned	
			Filing Date	November 12, 2003	
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			Examiner Name	Unknown	
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U.S. PATENTS AND PATENT PUBLICATIONS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
	55	US-4,672,793		Terlizzi, Jr., et al.	06/16/1987
	56	US-4,685,273		Caner et al.	08/11/1987
	57	US-4,685,274		Garwood	08/11/1987
	58	US-Des. 291,526		Heaney, et al.	08/25/1987
	59	US-D292,881		Thompson	11/24/1987
	60	US-4,714,164		Bachner	12/22/1987
	61	US-4,761,156		Bachner, et al.	08/02/1988
	62	US-4,790,450		Archibald	12/13/1988
	63	US-4,804,092		Jones	02/14/1989
	64	US-4,840,270		Caputo, et al.	06/20/1989
	65	US-4,899,925		Bowden, et al.	02/13/1990
	66	US-4,936,739		Provan, et al.	06/26/1990
	67	US-4,957,271		Summers, et al.	09/18/1990
	68	US-4,943,207		Provan, et al.	07/24/1990
	69	US-4,948,011		Mueller, et al.	08/14/1990
	70	US-4,961,684		Provan, et al.	10/09/1990
	71	US-5,012,928		Profitt, et al.	05/07/1991
	72	US-5,013,213		Roberts, et al.	05/07/1991
	73	US-5,018,623		Hrenyo	05/28/1991
	74	US-5,042,540		Gorlich	08/27/1991
	75	US-5,050,791		Bowden, et al.	09/24/1991
	76	US-5,067,308		Ward	11/26/1991
	77	US-5,094,547		Graham	03/10/1992
	78	US-5,155,971		Zopf	10/20/1992
	79	US-5,155,974		Garwood	10/20/1992
	80	US-5,226,531		Garwood	07/13/1993
	81	US-5,323,590		Garwood	06/28/1994
	82	US-5,329,748		Belsito	07/19/1994
	83	US-5,334,405		Gorlich	08/02/1994
	84	US-5,352,467		Mitchell, et al.	10/04/1994
	85	US-5,375,719		Mittmann, et al.	12/27/1994
	86	US-5,377,860		Littlejohn, et al.	01/03/1995
	87	US-5,503,858		Reskow	04/02/1996
	88	US-5,514,392		Garwood	05/07/1996
	89	US-5,532,467		Roustaci	07/02/1996
	90	US-5,533,623		Fischer	07/09/1996
	91	US-5,534,282		Garwood	07/09/1996
	92	US-5,560,182		Garwood	10/01/1996
	93	US-5,597,599		Smith, et al.	01/28/1997
	94	US-5,629,060		Garwood	05/13/1997
	95	US-5,667,827		Breen, et al.	09/16/1997
	96	US-5,673,783		Radant, et al.	10/07/1997
	97	US-5,705,123		Newcomb	01/06/1998
	98	US-5,705,213		Guillin	01/06/1998
	99	US-5,711,978		Breen, et al.	01/27/1998
	100	US-5,758,772		Clements	06/02/1998
	101	US-5,816,488		Moeder	10/06/1998
	102	US-5,820,955		Brander	10/13/1998
	103	US-5,827,068		Sims	10/27/1998
	104	US-5,876,180		Sims	03/02/1999
	105	US-5,943,844		Wilhelm, et al.	08/31/1999
	106	US-6,047,819		Borst, et al.	04/11/2000
	107	US-Des. 427,482		Mittmann	07/04/2000

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute form 1449A/PTO			Complete if Known		
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U.S. PATENTS AND PATENT PUBLICATIONS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		structures, 1/19/79			
	135	Japanese Utility Model: Kokai S55-115509, Cylindrical container with separation structures varying in length, thickness or position between containers to prevent nesting and telescoping, 8/14/80			
	136	Japanese Utility Model: Kokai S63-7611, Nonfoam container for small objects (including food) used in automatic packaging lines having a hinged lid and separation structures, 1/19/88			
	137	Japanese Utility Model: Kokai Hei11-139420, Nonfoam container with separation structures used in automatic line, including automatic denesting, 5/25/99			
	138	Packaging Strategies Modified Atmosphere Packaging: The "Quiet Revolution" Begins, Nonfoam and/or other trays used in Europe to package meat in a central location, 1988			
	139	"Packaging Materials Appearance Counts," Food Engineering International, June, 1997			
	140	"What's Next for MAP/CAP, Susceptors and 'Glassy' Film? Packaging Magazine, September 1993			
	141	"Open-All-Hours Culture Needs Right Atmosphere," Packaging Week, 7/28/94			
	142	"At Marsh, No More Pork Grind," Supermarket Business, December 1993			
	143	Letter from James J. Sanfilippo, Map Systems International, to Mr. Robert B. McIntosh, Rock-Tenn Company, October 6, 2000			
	144	"Nutbowl Line Let Sanfilippo Dig In to the Snack Market," Packaging Digest, 140-148 October 1998			
	145	Undated Videotape of Map Systems' equipment			
	146	Photographs of Rock-Tenn nonfoam trays, prior to July 12, 1999			
	147	Rock-Tenn brochure "Don't Get Lost With Your Map," 1998			
	148	Rock-Tenn Drawing No. RT09505 of a Nonfoam Tray, April 14, 1998			
	149	Complaint and Jury Demand (Cryovac case), 9/4/02			
	150	Answer, Affirmative Defenses, Counterclaims and Demand for Jury Trial of Cryovac, Inc., 10/28/02			
	151	Defendant Cryovac, Inc.'s Initial Disclosures Pursuant to Rule 26.1, 11/27/02			
	152	Joint Preliminary Report and Discovery Plan, 11/27/02			
	153	Cryovac Inc.'s Responses to Plaintiff's First Set of Interrogatories, 1/29/03			
	154	Cryovac's Supplemental Response to Plaintiff's First Set of Interrogatories, 2/28/03			
	155	First Amended and Restated Answer, Affirmative Defenses, Counterclaims and Demand for Jury Trial of Cryovac, Inc., 6/10/03			
	156	Reply to First Amended and Restated Counterclaims of Cryovac, 7/3/03			
	157	Rock-Tenn's Memorandum of Law in Support of its Motion to Consolidate and to Modify Order, 9/17/03			
	158	Defendants' Cryovac, Inc.'s C&M Fine Pack, Inc., and Anchor Packaging, Inc.'s Response to Rock-Tenn's Memorandum of Law in Support of its Motion to Consolidate and to Modify Order, 10/6/03			
	159	Rock-Tenn's Reply Memorandum of Law in Further Support of its Motion to Consolidate and to Modify Order, 10/23/03			
	160	Complaint and Jury Demand (Fine Pack), 9/4/02			
	161	Defendant's Answer, Affirmative Defenses and Counterclaim (Fine Pack), 10/31/02			
	162	Defendant's Initial Disclosures (Fine Pack), 12/2/02			
	163	Joint Preliminary Report and Discovery Plan (Fine Pack) 12/3/02			
	164	C&M Fine Pack's Responses to Rock-Tenn's First Set of Interrogatories, 1/29/03			
	165	Defendant's Second Amended Answer, Affirmative Defenses and Counterclaims (Fine Pack), 6/13/03			
	166	Reply to Defendant's Second Amended Counterclaims (Fine Pack), 7/3/03			
	167	Complaint and Jury Demand (Pactiv), 10/11/02			
	168	Answer, Affirmative Defenses and Counterclaims of Pactiv Corporation, 12/4/02			
	169	Plaintiff Rock-Tenn's Reply to Counterclaims (Pactiv), 12/23/02			
	170	Defendant's Initial Disclosures (Pactiv), 1/3/03			
	171	Joint Preliminary Report and Discovery Plan (Pactiv), 1/3/03			
	172	Pactiv's Memorandum of Law (1) In Opposition to Rock-Tenn's Motion to Dismiss Pactiv's Affirmative Defense and Counterclaim Related to Unenforceability and (2) in Support of Pactiv's Alternative Motion for Leave to Amend its Answer, Affirmative Defenses, and Counterclaims, 1/8/03			
	173	First Amended Answer, Affirmative Defenses, and Counterclaims of Pactiv Corporation, 1/8/03			
	174	Declaration of Vince D'Amelio in Further Support of Rock-Tenn's Motion to Dismiss Pactiv's Affirmative Defense and Counterclaim Related to Unenforceability and in Opposition to Pactiv's Alternative Motion for Leave to Amend its Answer, Affirmative Defenses and Counterclaims, 1/27/03			
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U.S. PATENTS AND PATENT PUBLICATIONS					
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	175	Plaintiff Rock-Tenn's Reply Memorandum of Law in Further Support of Its Motion to Dismiss Defendant Pactiv's Affirmative Defense and Counterclaim Related to Unenforceability, 1/27/03			
	176	Pactiv Corp.'s Responses to Rock-Tenn's First Set of Interrogatories, 3/3/03			
	177	Reply to Pactiv's First Amended Counterclaims, 7/3/03			
	178	Complaint (Anchor), 11/13/02			
	179	Answer, Affirmative Defenses and Counterclaims of Anchor Packaging, Inc., 12/31/02			
	180	Plaintiff Rock-Tenn's Reply to Counterclaims, 1/21/03			
	181	Anchor's Objections and Responses to Rock-Tenn's First Set of Interrogatories, 3/21/03			
	182	First Amended and Restated Answer, Affirmative Defenses, Counterclaims and Demand for Jury Trial of Anchor Packaging, Inc., 6/16/03			
	183	Plaintiff Rock-Tenn's Reply to Anchor's First Amended and Restated Counterclaims, 7/3/03			
	184	First Amended Complaint for Declaratory Judgment (Clear Lam), 10/23/02			
	185	Answer, Affirmative Defenses and Counterclaim of Rock-Tenn Company (Clear Lam), 12/11/02			
	186	Clear-Lam's Answer and Affirmative Defenses to Defendant's Counterclaim, 1/7/03			
	187	Clear-Lam's Answers and Objections to Rock-Tenn's First Set of Interrogatories, 3/3/03			
	188	Plaintiff's Motion to Regulate Discovery, 7/10/03			
	189	Emergency Cross Motion to Compel Infringement Discovery, Defendant's Opposition to Plaintiff's Motion to Regulate Discovery, and Defendants Motion for Costs (Clear Lam) 7/14/03			
	190	Transcript of Proceedings (Clear Lam), 7/15/03			
	191	Rock-Tenn's Expedited Motion Appealing from the Order Granting Plaintiff Clear Lam's Motion to Regulate Discovery and Denying Rock-Tenn's Motion to Compel, 8/14/03			
	192	Plaintiff's Opposition to Defendant's Expedited Motion Appealing from the Order Granting Plaintiff's Motion to Regulate Discovery and Denying Rock-Tenn's Motion to Compel, 8/25/03			
	193	Defendant Rock-Tenn's Memorandum of Law in Support of its Expedited Motion to Consolidate and to Modify the Scheduling Order (Clear Lam), 9/17/03			
	194	Plaintiff's Memorandum of Law in Support of its Motion to Dismiss this Transferred Case for Lack of Personal Jurisdiction Or, Alternatively, to Transfer this Case to the Northern District of Illinois (Clear Lam), 10/6/03			
	195	Rock-Tenn's Memorandum of Law in Opposition to Plaintiff's Motion to Dismiss this Transferred Case for Lack of Personal Jurisdiction or, Alternatively, to Transfer this Case to the Northern District of Illinois (Clear Lam), 10/23/03			
	196	Rock-Tenn's Reply Memorandum of Law in Further Support of Rock-Tenn's Expedited Motion to Consolidate and to Modify the Scheduling Order (Clear Lam), 10/23/03			
	197	Unsigned Map Systems' Proposal No. Q-1247 v2 addressed to Excel Corporation and facsimile record, October 7, 1998			
	198	Unsigned Map Systems' Proposal No. Q-1306 addressed to Perdue, December 15, 1998			
	199	Unsigned Map Systems' Proposal No. Q-1266 Rev. 2 addressed to Jacpac Foods, Inc. and facsimile record, October 7, 1998			
	200	Map Systems MS-700 Tray Sealer, 1996			
	201	Drawings of Map Systems trays			
	202	Photograph of Map Systems' cavity mold			
	203	Letter from Roman Forowycz, Map Systems, to Claude McMahon, Transparent Container Co., April 9, 1997			
	204	Fax from James J. Sanfilippo, Map Systems, to Mr. Richard Boos, Sara Lee Bakery, November 20, 1998			
	205	Fax from James J. Sanfilippo, Map Systems, to Mr. Richard Boos, Sara Lee Bakery, December 11, 1998			
	206	Fax from James J. Sanfilippo, Map Systems, to Mr. Bart Casper, Transparent Container Co., December 23, 1998			
	207	Fax from James J. Sanfilippo, Map Systems, to Mr. Bart Casper and Ms. Sharon Able, Transparent Container Co., August 19, 1998			
	208	Letter from Roman Forowycz, Map Systems, to Roger Gates, Fresh Express, Inc. August 1, 1997			
	209	Holly Farms BBQ Chicken Tray, Nonfoam tray with separation structures for meat products, 1987			
	210	Kraft Frozen Food Tray, Nonfoam tray with separation structures for frozen food, 1985			

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	211	Faerch Plast product brochure, Product information showing polypropylene trays with separation structures for use in, <i>inter alia</i> , home meal replacement and fresh meat packaging, April 1992			
	212	Cryovac Australia Art, HIPS meat trays with separation structures used in automated meat packaging processes, 1997			
	213	PP Soup Lids, PP Soup lids with separation structures			
	214	United Airlines meal try, Nonfoam tray with separation structures used for prepared meals on United Airlines planes, 1997			
	215	Champion deep meat tray, Nonfoam meat tray with separation structures, 9/9/96			
	216	Rexam Trays, Nonfoam tray with separation structures made by Rexam, prior to 7/12/99			
	217	MAP Systems Ad, Ad showing trays with separation structures, 1996			
	218	Mullinix CPET-HMR Trays, Nonfoam CPET trays made by Mullinix having separation structures used in MAP system to package meat entrees, 1996			
	219	IVEX Freeborn Farms, Three cell Steak-Um meat tray made for Freeborn Farms, 4/29/98			
	220	Dolphin Tray Designs, Trays having separation structures, 1997			
	221	<i>Food Engineering</i> Article, Article discussing MAP technology and references case-ready meat, January 1988			
	222	American National Can Advertisement, Ad in <i>Turkey World</i> discussing PP barrier trays for turkey, pp. 30-31, April-May 1993			
	223	Borden Trays, Brochure showing trays with separation structures, 1980			
	224	Mullinix Sausage Tray, Nonfoam tray with separation structures used for meat products in a high speed automated packaging process, 1965			
	225	ES Plastik Product Brochure, Barrier nonfoam trays with separation structures, before July 1999			
	226	Cryovac Fish Tray, Nonfoam tray having separation structures used for packaging fish, 1985			
	227	MAP Systems MS-1400, Single lane high speed modified atmosphere tray sealing system with patented vacuumless gas flushing technology and automatic tray denesting capabilities used to seal trays utilizing alternative male denesting configuration, June, 1997			
	228	Farmland Foam Trays, Foam trays for meat packaging, 1999 or before			
	229	Mapleleaf Foam Trays, Foam trays for meat packaging, 1999 or before			
	230	MAP Systems nonfoam tray, Nonfoam trays for meat packaging, year 2000			
	231	Stacked barrier trays from various manufacturers, Stackable trays with oxygen/moisture barrier used in non-meat food packaging applications, 1999 or before			
	232	Kraft Stew Product, Prepackaged stew product including meat provided in stackable trays, 1985-1990			
	233	Campbell Soup Barrier Tray, Soup including meat provided in barrier trays, 1985			
	234	Hormel prepared meals, Prepared meals including meat provided in nonfoam trays with oxygen/moisture barriers, 1998 or before			
	235	Ball Corporation plastic trays, prepared meals including meat provided in plastic trays, Mid-1980's			
	236	MAP Systems MS-700, Single lane high speed Modified Atmosphere Tray Sealing System with patented vacuumless, gas flushing technology and automatic tray denesting capabilities. Unit used to seal trays utilizing alternating male denesting lug configuration, June 1997			
	237	Map Systems, Rigid thermoformed plastic trays for use with automated processing equipment in modified atmosphere food applications for a variety of different food products, 1996			
	238	Peter Eckrich, "Meat Keeper package based on a preformed multi-layer barrier tray, 1971			
	239	Oscar Mayer, "rigid-rigid" sliced luncheon meat package, 1972			
	240	Socopa of France, preformed multi-layer barrier plastic tray to package case ready meats in oxygen enriched environments for extended shelf life distribution, 1978			
	241	Oscar Mayer, Lunchables rigid thermoformed tray for use with automated processing equipment for meats and other food products for shelf ready display, 1986-1987			
	242	Perdue, preformed barrier plastic tray to package cooked chicken in a modified atmosphere package, 1988			
	243	Map Systems, rigid multi-layer thermoformed plastic trays supplied to Sara Lee and engineered for and used with automated processing and denesting equipment, 1996-1997			
	244	Map Systems, No. 3 rigid thermoformed plastic (laminated or unlaminated) meat tray for use with automated processing equipment, 1997			
	245	Foster Farms, preformed barrier tray to package marinated chicken, 1998			

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	246	Memorandum In Support of Defendants' Motion for Summary Judgment on Patent Invalidity, 11/5/03			
	247	Defendants' Statement of Undisputed Facts, 11/5/03			
	248	Declaration of James J. Sanfilippo and accompanying exhibits, 11/5/03			
	249	Draft of Clear Lam Patent Application, 1999			
	250	U.S. Patent Application No. 08/886,963. Published 8/30/01			
	251	Pictures of various versions of John B. Sanfilippo & Sons nut bowls			
	252	Declaration of Vince D'Amelio, 11/10/03			

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